IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 3365 of 2005

Between:

Swathi Samabhavana Sangam, rep.by its Group Leader Smt.B.Jyothi,
W/o.Venkateswarlu, Anajpuram Village and Post,
Penpahad Mandal, Nalgonda District.

..... PETITIONER

AND

1 The Revenue Divisional Officer, Suryapet, Nalgonda District.
2 The Mandal Revenue Officer, Penpahad Mandal, Nalgonda

District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ, order or direction more particularly one in the nature of writ of Mandamus, to declare the impugned Notification dt.2-12-2004 bearing No.D/1608/04 issued by the 1st respondent as illegal, arbitrary, unconstitutional and against to the principles of natural justice, besides violative of Articles 19 and 21 of the constitution of India and consequently set aside the same.

Counsel for the Petitioner: MR.B.NAGI REDDY

Counsel for the Respondents : GP FOR CIVIL SUPPLIES

The Court, at the stage of admission, made the following :

ORDER:

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Petitioner challenges the notification dated 02.12.2004, issued by the 1st respondent inviting applications for appointment of a fair price shop dealer for Anajipuram Village. Several grounds are urged on behalf of the petitioner.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

It is not in dispute that the petitioner was appointed as a temporary dealer. By its very nature, such an appointment is to hold good till a dealer is appointed on regular basis. The impugned notification is issued for the purpose of selecting a dealer on regular basis. The petitioner does not have any right to continue as dealer inasmuch as her appointment was only on temporary basis.

Hence, the writ petition is disposed of leaving it open to the 1st respondent to proceed with the selections. It is, however, made clear that if there are no serious allegations against the petitioner, she shall be continued as a temporary dealer till a regular dealer is selected. There shall be no order as to costs.

L.NARASIMHA REDDY, J

Dated : 24.02.2005

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To

1 The Revenue Divisional Officer, Suryapet, Nalgonda District.
2 The Mandal Revenue Officer, Penpahad Mandal, Nalgonda

District.

3 2 CCs to G.P. for Civil Supplies, High Court Buildings, Hyderabad

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